

U. S. DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

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CURVES INTERNATIONAL, INC.,)

Plaintiff,)

2007 NOV 14 P 3: 01

v.)

DEBRA P. HACKETT, CLK. CASE NO. 2007-CV-807-MHT
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

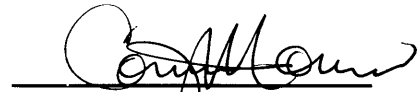
LINDA S. MOSBARGER,)

Defendant.)

MOTION TO STRIKE

COMES NOW the DEFENDANT, LINDA S.MOSBARGER, nee LINDA S. LEWIS, by and through undersigned counsel, and requests this court to strike all documents of an unverified nature previously filed by the Plaintiff which appear to be a violation of the Federal Rules of Evidence's general prohibition against hearsay evidence. Also, strike all documents which have not been filed upon the Defendant or her legal counsel and do not contain a certificate of service. *Fed.R.Civ.P. 5 & 6*. The DEFENDANT relies upon *Federal Rule of Civil Procedure 12(f)* to request that all scandalous, immaterial and impertinent documents related to any attempt of service of process upon the Defendant in September of 2007 be stricken from the record along with any hearsay statement by any attorney that said faulty service was perfected. The DEFENDANT denies service of process prior to receiving service from this Honorable Court by U. S. mail.

Respectfully submitted,


Connie J. Morrow
(#ASB-6870-O78C)
Attorney for Counterclaimant
LINDA S. LEWIS

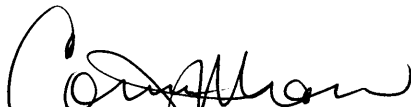
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CERTIFICATE OF SERVICE

The undersigned verifies a true and accurate copy of this document has been delivered to the following (Defendants and purported legal counsel) by placing on this date a copy of such in the U. S. mail, proper postage prepaid, on this the 14th day of NOVEMBER, 2007, and addressed as follows:

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